

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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CAROL J. PETERSON,

ORDER ADOPTING
REPORT AND RECOMMENDATION

Plaintiff,

vs.

KRISTINE DEMAY,

Defendant.

09-CV-0895 (PJS/RLE)

* * * * *

This matter is before the Court on the Report and Recommendation of United States Chief Magistrate Judge Raymond L. Erickson [Docket No. 4]. No objections to the Report and Recommendation were filed within the requisite time period. Based upon the files, records and proceedings in the above-entitled matter, **IT IS ORDERED THAT:**

1. The above-captioned action is summarily dismissed pursuant to Title 28 U.S.C. §1915(e)(2)(B)(ii).
2. The Plaintiff's Application to Proceed In Forma Pauperis is denied, as moot.

Date: May 29, 2009

s/Patrick J. Schiltz
Patrick J. Schiltz
United States District Judge